

From: Larry Jubb
To: Microsoft Settlement
Date: 1/15/02 7:57pm
Subject: Microsoft Settlement

Larry Jubb
198 SOUTH 16th St.
San Jose, CA 95112-2152

January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars and failed to break up a hi-tech monopoly, viz. Operating Systems and Applications which are tied together in a manner that forces competition to respond to new developments AFTER microsoft already has had their "improved" product on the market for some time. Additionally Microsoft's predatory business practices have forced HARDWARE (PC clone makers) manufacturers to sell only Microsoft Operating Systems on their new machines.

This has all resulted in a serious deterrent to investors in the high-tech industry who want to start NEW businesses to compete with Microsoft. It is high time for this trial, and the wasteful spending accompanying it, to be over and Microsoft to be split up into at least TWO SEPARATE companies, one to do Operating Systems and to release the necessary information to BOTH the other company doing the Applications software development AS WELL AS to any and all competitors. It is my belief that Microsoft routinely makes changes to their software to degrade the reliability of any competitor's software running on any system that also has Microsoft's applications or Operating System software installed. Sadly, this also results in the Microsoft programs crashing more frequently. A case in point is Microsoft "Word," one of the most commonly used word processors in the PC industry that has been around since the very early days of the industry even before Windows 1.0 superseded MS-DOS (Microsoft Disk Operating System) and which is the most crash-prone application I have seen in over 25 years in the computer industry.

I have been an Electronics Design Engineer for 31 years in Silicon Valley and worked in the mainframe industry for Amdahl Corp. in the 1970's and early 1980's when the very first IBM PC was released. (We took one apart as soon as they came out to better understand what new business IBM was

getting into in 1981.) I have been building computers since the days of the S-100 bus and the pre-Apple I machines when Steve Wozniak used to bring his "projects" to the Homebrew Computer Club meetings at the Stanford Linear Accelerator Auditorium. Using every kind of computer and software in my electronics design consulting practice in Silicon Valley since the early 1980's, I have seen just about every sort of system crash and software bug imaginable. I have used everything from Mainframes to minicomputers to UNIX workstations and in all cases the largest number of major problems have been with PC's generally caused by software failures in products produced by Microsoft Corp. I believe this general unreliability and consequent lost productivity (it comes right off my "bottom line" as an independent consultant) is caused by a LACK OF COMPETITION enforced by Microsoft's unfair, unjust, and at times illegal and monopolistic business practices that have forced smaller companies out of business. What they can't force out they often buy out and this, too, is a loss to the end-user/consumer.

Consumers will be more likely to see competition in the marketplace rather than the courtroom if Microsoft is broken up and FORCED to compete in the area of Applications software programs that are compatible with Microsoft Windows or any future Operating System they may create. And the investors who propel our economy can finally breathe a sigh of relief as they realize the possibility of successfully COMPETING against Microsoft under laws that are fairly ENFORCED against ALL software companies, regardless of size.

If the case is finally over, US companies, both large and small, can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means MULTIPLE COMPANIES creating better goods and offering superior services to consumers, NOT a monopoly that can force its business partners to sell an inferior product (in comparison to, e.g. UNIX or LINUX) along with their (the partner's) hardware or that can control BOTH Applications and Operating Systems which have to work together on the same system. With the Microsoft Monopoly out of the business of stifling progress and tying the hands of other corporations and competitors as well as consumers, the "free market" will once again pick the winners and losers on Wall Street. With the monopolistic reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Larry Jubb

